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PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

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No. 151

## House of Representatives

The House met at 3 p.m. and was called to order by the Speaker pro tempore (Mr. POMEROY).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

*Washington, DC, October 5, 2007.*

I hereby appoint the Honorable EARL POMEROY to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

In the midst of a violent and unsettled world, Lord, it is more difficult to receive Your word or find interior silence. Yet the beauty of Your creation is just beyond the door, Your faithfulness and mercy always within reach. You truly bend to us.

May the vivifying beams of morning's sun, now that they have reached their apex of another day, penetrate the steel, glass and plastic of American life. Let the seeds of new life fall abundantly on our land and the approaching colors of autumn brighten our hopes for the future.

Help us to rejoice in the blessings You shower upon this Nation, family life and our work. May the movement of this spirit within us lead us to a community that will worship You this weekend.

To You be praise and glory both now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, October 5, 2007.*

The Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 5, 2007, at 9:35 a.m.:

That the Senate passed S. 742.

That the Senate passed S. 1640.

That the Senate agreed to S. Con. Res. 39.

That the Senate agreed to S.J. Res. 17.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

### SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1640. An Act to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the defini-

tions of a hull and a deck; to the Committee on the Judiciary.

S.J. Res. 17. Joint Resolution directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean; to the Committee on Natural Resources.

### ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2467. An Act to designate the facility of the United States Postal Service located at 69 Montgomery Street in Jersey City, New Jersey, as the "Frank J. Guarini Post Office Building".

H.R. 2587. An Act to designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the "Kenneth T. Whalum, Sr. Post Office Building".

H.R. 2654. An Act to designate the facility of the United States Postal Service located at 202 South Dumont Avenue in Woonsocket, South Dakota, as the "Eleanor McGovern Post Office Building".

H.R. 2765. An Act to designate the facility of the United States Postal Service located at 44 North Main Street in Hughesville, Pennsylvania, as the "Master Sergeant Sean Michael Thomas Post Office".

H.R. 2778. An Act to designate the facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, as the "Robert Merrill Postal Station".

H.R. 2825. An Act to designate the facility of the United States Postal Service located at 326 South Main Street in Princeton, Illinois, as the "Owen Lovejoy Princeton Post Office Building".

H.R. 3052. An Act to designate the facility of the United States Postal Service located at 954 Wheeling Avenue in Cambridge, Ohio, as the "John Herschel Glenn, Jr. Post Office Building".

H.R. 3106. An Act to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the "Staff Sergeant David L. Nord Post Office".

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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## ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. on Tuesday next for morning-hour debate.

There was no objection.

Accordingly (at 3 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until Tuesday, October 9, 2007, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3632. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Florasulam; Pesticide Tolerance [EPA-HQ-OPP-2006-0993; FRL-8148-4] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3633. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tembotrione; Pesticide Tolerance [EPA-HQ-OPP-2006-0072; FRL-8148-2] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3634. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule — DEFINITIONS OF TERMS AND EXEMPTIONS RELATING TO THE "BROKER" EXCEPTIONS FOR BANKS [Release No. 34-56501; File No. S7-22-06] (RIN: 3235-AJ74) received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3635. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; General and Plastic Surgery Devices; Classification of Absorbable Poly(hydroxybutyrate) Surgical Suture Produced by Recombinant DNA Technology [Docket No. 2007N-0267] received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3636. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Oxides of Nitrogen Regulations, Phase II [EPA-R05-OAR-2006-0540; FRL-8472-4] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3637. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama; Clean Air Interstate Rule [EPA-R04-OAR-2007-0359-200736; FRL-8475-9] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3638. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Implementation Plans of Kentucky; Clean Air Interstate Rule [EPA-R04-OAR-2007-0835-200740(a); FRL-8475-4] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3639. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Approval and Promulgation of Implementation Plans; Mississippi; Clean Air Interstate Rule [EPA-R04-OAR-2007-0167-200734; FRL-8475-8] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3640. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey; Clean Air Interstate Rule [Docket No. EPA-R02-OAR-2007-0233; FRL-8472-5] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3641. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Implementation Plans; North Carolina; Clean Air Interstate Rule [EPA-R04-OAR-2007-0423-200743(a); FRL-8475-6] received September 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3642. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations. (Dinosaur, Colorado) [MB Docket No. 07-79; RM-11362] received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3643. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Rockmart, Aragon, and Ringgold, Georgia; Anderson, South Carolina; and Chattanooga, Decatur, Harrison, Lynchburg, Spring City, and Wartrace, Tennessee) [MB Docket No. 05-282; RM-11229; RM-11333; RM-11337] received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3644. A letter from the Deputy Bureau Chief, Federal Communications Commission, transmitting the Commission's final rule — Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks [EB Docket No. 06-119; WC Docket No. 06-63] received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3645. A letter from the Deputy Chief Financial Officer, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2007 [MD Docket No. 07-87] received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3646. A letter from the Senior Counsel, Federal Communications Commission, transmitting the Commission's final rule — Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers [WT Docket No. 05-265] received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3647. A letter from the Assistant Bureau Chief for Management, IB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 1 and 63 of the Commission's Rules [IB Docket No. 04-47] received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3648. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Licenses, Certification, and Approvals for Nuclear Power Plants (RIN: 3150-AG24) received August 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3649. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-19; Introduction [Docket FAR-2007-0002, Sequence 4] received September 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3650. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2005-034, Reporting of Purchases from Overseas Sources [FAC 2005-19; FAR Case 2005-034; Item I; Docket 2006-0020; Sequence 9] (RIN: 9000-AK52) received September 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3651. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2005-035, Changes to Lobbying Restrictions [FAC 2005-19; FAR Case 2005-035; Item II; Docket 2006-0020; Sequence 8] (RIN: 9000-AD76) received September 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3652. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2005-025; Online Representations and Certifications Application Archiving Capability [FAC 2005-19; FAR Case 2005-025; Item III; Docket 2006-0020; Sequence 4] (RIN: 9000-AK56) received September 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3653. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands (RIN: 1018-AV12) received September 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3654. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543 [Docket No. 070213033-7033-01] (RIN: 0648-XC08) received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3655. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries (RIN: 0648-AC23) received September 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

## DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration, H.R. 1011 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED  
BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than October 19, 2007.

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#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 891: Mr. DICKS, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. SCHIFF, and Mr. RANGEL.

H.R. 2591: Mr. TIERNEY.

H.R. 3175: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HASTINGS of Florida.

H.R. 3176: Mrs. MUSGRAVE.

H.R. 3229: Mr. LEWIS of Kentucky, Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, Mr. WAMP, Mr. EVERETT, Mr. GOHMERT, Mr. MANZULLO, Mr. BURGESS, Mr.

PENCE, Mr. SAM JOHNSON of Texas, Mr. BLUNT, Mr. MARIO DIAZ-BALART of Florida, Mr. JORDAN, Mr. DAVID DAVIS of Tennessee, Mr. SALI, Mr. GARRETT of New Jersey, Mr. HELLER, Mr. TOM DAVIS of Virginia, Mrs. BONO, Mr. MACK, Mr. BUCHANAN, Mrs. McMORRIS RODGERS, Mr. CAMPBELL of California, Mr. SMITH of Nebraska, Mr. WALBERG, Mr. MCHENRY, Mr. REICHERT, Mrs. MUSGRAVE and Mr. FORBES.

H.R. 3232: Mr. WILSON of South Carolina, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. KENNEDY, Mr. SHUSTER, Mr. PUTNAM, Mr. DAVIS of Illinois, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SPACE, Ms. PRYCE of Ohio, Mr. BARROW, Ms. WASSERMAN SCHULTZ, Mr. GONZALEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KLEIN of Florida, Mr. MCNERNEY, Mr. PENCE, Mr. NADLER, Mr. GORDON, and Mr. BERMAN.

H.R. 3331: Mr. INSLEE.

H.R. 3339: Mr. CONYERS and Mrs. CAPPS.

H.R. 3368: Ms. BALDWIN, Mr. BOUCHER, Mr. SHAYS, Mr. RYAN of Ohio, and Mr. CONAWAY.

H.R. 3396: Mr. CUMMINGS and Mr. CONYERS.

H.R. 3487: Mr. WEXLER.

H.R. 3498: Ms. MOORE of Wisconsin, Ms. KAPTUR, and Ms. KILPATRICK.

H.R. 3547: Mr. SHERMAN.

H.R. 3584: Mrs. MUSGRAVE and Mr. DANIEL E. LUNGREN of California.

H.R. 3622: Mr. SESSIONS and Mr. MOORE of Kansas.

H.R. 3685: Mr. COHEN, Ms. WOOLSEY, Ms. WASSERMAN SCHULTZ, Mr. FILNER, and Ms. HARMAN.

H.R. 3686: Ms. WOOLSEY, Ms. WASSERMAN SCHULTZ, Mr. FILNER, and Ms. HARMAN.

H.R. 3757: Mr. MILLER of North Carolina.

H. Res. 310: Ms. JACKSON-LEE of Texas.

H. Res. 560: Mr. POE.

H. Res. 661: Mr. BISHOP of Georgia.